



## DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and country of citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled DIESEL FUEL TRANSFERRING SYSTEM AND METHOD OF USE, the specification of which (check one)

☐ is attached hereto.

☒ was filed on **June 20, 2003** as Application Serial No. **10/601,062** and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information which is known to me to be material to patentability or to the examination of this application in accordance with 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. §§ 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

### PRIOR FOREIGN APPLICATION(S)

			Priority Claimed		Certified Copy Attached?	
(Number)	(Country)	(Day/month/year filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, § 119(e) of the United States provisional application listed below.

\_\_\_\_\_  
(U.S. Provisional Application No.)

\_\_\_\_\_  
(Filing Date)

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

\_\_\_\_\_  
(U.S. Parent Application) (Parent Filing Date) (Parent Patent Number (if applicable))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and may jeopardize the validity of the application or any patent issuing thereon.


**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the **Practitioners at Customer Number 24919** as my attorneys to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

The U.S. Patent and Trademark Office is requested to direct all mail and telephone calls to:

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McAFEE & TAFT  
Tenth Floor, Two Leadership Square  
211 North Robinson  
Oklahoma City, Oklahoma 73102

Phone: (405) 552-2302  
Facsimile: (405) 228-7302  
e-mail: cliff.dougherty@mcafeetaft.com

Full name of first or sole inventor: Michael C. Brakefield

Inventor's signature  Date: 6-8-04

Residence: 1616 Castle Rock Road, Yukon, Oklahoma 73099

Citizenship: United States of America

Mailing Address: 1616 Castle Rock Road, Yukon, Oklahoma 73099

Full name of second inventor: Steven K. Olive

Inventor's signature  Date: 6-10-04 spm

Residence: 1113 Straka Terrace, Oklahoma City, Oklahoma 73139

Citizenship: United States of America

Mailing Address: 1113 Straka Terrace, Oklahoma City, Oklahoma 73139

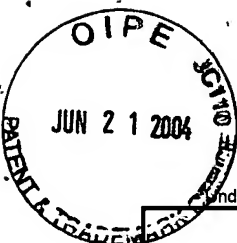
Full name of third inventor: Steven C. Strobel

Inventor's signature Strobel Date: 05.24.04

Residence: 106 South Green Street, Clarks, Nebraska 68628

Citizenship: United States of America

Mailing Address: 106 South Green Street, Clarks, Nebraska 68628



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Michael C. Brakefield et al. / Musket CorporationApplication No./Patent No.: 10/601,062 Filed/Issue Date: 06/20/2003Entitled: Diesel Fuel Transferring System and Method of UseMusket Corporation, a an Oklahoma corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or2. ☐ an assignee of less than the entire right, title and interest.The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.**OR**B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.☐ Additional documents in the chain of title are listed on a supplemental sheet.☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

06/17/2004

Date

405 552 2302

Telephone number

Clifford C. Dougherty, III

Typed or printed name

Signature

Attorney for Applicants and Assignee

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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PATENT

## ASSIGNMENT

WHEREAS, we, Michael C. Brakefield of Yukon, Oklahoma, Steven K. Olive of Oklahoma City, Oklahoma and Steven C. Strobel of Clarks, Nebraska, have invented a new and useful DIESEL FUEL TRANSFERRING SYSTEM AND METHOD OF USE, for which an application for a United States patent entitled DIESEL FUEL TRANSFERRING SYSTEM AND METHOD OF USE was filed on June 20, 2003 and assigned Serial No. 10/601,062 preparatory to obtaining a United States patent therefor; and

WHEREAS, Musket Corporation, an Oklahoma corporation having a business address of 10601 N. Pennsylvania, Oklahoma City, Oklahoma 73120, is desirous of acquiring all our right, title and interest in and to said DIESEL FUEL TRANSFERRING SYSTEM AND METHOD OF USE, in and to said application for United States patent, and in and to any patents that may be granted for said DIESEL FUEL TRANSFERRING SYSTEM AND METHOD OF USE in the United States and in any and all foreign countries;

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, the receipt of which is hereby acknowledged, and other good and valuable consideration, we, Michael C. Brakefield, Steven K. Olive and Steven C. Strobel, have sold, assigned and transferred, and by these presents do sell, assign and transfer unto Musket Corporation the entire right, title and interest in and to said DIESEL FUEL TRANSFERRING SYSTEM AND METHOD OF USE in the United States of America and its territorial possessions and in all foreign countries, the entire right, title and interest to said application for United States patent and the entire right, title and interest in and to any and all patents which may be granted for said DIESEL FUEL TRANSFERRING SYSTEM AND METHOD OF USE in the United States and its territorial possessions and in any and all foreign countries and in and to any and all divisions, reissues, continuations and extensions thereof.

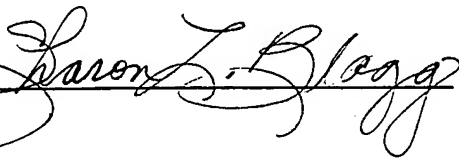
We hereby authorize and request the Patent Office Officials in the United States and in any and all foreign countries to issue any and all of said patents, when granted, to Musket Corporation, as the assignee of our entire right, title and interest in and to the same, for the sole use and enjoyment of Musket Corporation, its successors and assigns.

FURTHER, we agree that we will communicate to Musket Corporation, or its representatives, any facts known to us respecting said DIESEL FUEL TRANSFERRING SYSTEM AND METHOD OF USE, that we will testify in any legal proceedings, sign all lawful papers and execute all divisional, continuation, substitution, renewal and reissue applications respecting said DIESEL FUEL TRANSFERRING SYSTEM AND METHOD OF USE, that we will execute all

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necessary assignment papers to cause any and all of said patents to be issued to Musket Corporation, and that we will make all rightful oaths and generally do everything necessary or desirable to aid Musket Corporation, its successors and assigns in obtaining and enforcing proper protection for said DIESEL FUEL TRANSFERRING SYSTEM AND METHOD OF USE in the United States and in any and all foreign countries.

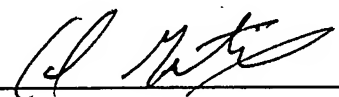
IN TESTIMONY WHEREOF, we have hereunto set our hands on the date set forth below.

Witness: 

  
Michael C. Brakefield

6-8-04

Date


Witness: 

  
Steven K. Olive

6-10-04 5pm

Date

Witness: \_\_\_\_\_

  
Steven C. Strobel

05.24.04

Date